

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: :  
Jouko Kiviaho : Attorney Docket No.: 43480-229279  
Application No.: 10/573,355 : Art Unit: 3725  
Filed: March 24, 2006 : Examiner: F. Francis

Title: METHOD AND APPARATUS FOR FIBERIZING PARTICULARLY PAPER AND/OR PAPERBOARD BASED MATERIAL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement issued July 28, 2008, Applicant chooses group II, claims 5-10 drawn to an apparatus for fiberizing paper and/or paperboard based material.

Applicant traverses the restriction requirement on the basis that unity of invention exists in the two groups of claims identified by the Examiner. Along these lines, the Examiner asserts that the special technical feature of group I, claims 1-4, is a method for fiberizing paper and/or paperboard based material. The Examiner also asserts that the special technical feature of group II, claims 5-10, is an apparatus for fiberizing material that can be used to process material other than paper or paperboard based material.

Applicants submit that, in fact, both the apparatus and the method can be used to process

material other than paper or paperboard based material. This is reflected in both independent claim 1 and independent claim 5. Along these lines, claim 1 recites, "A method for fiberizing particularly paper and/or paperboard based material, for feeding fiberized material, such as pulp wool, wood fiber or the like." Similarly, claim 5 recites, "An apparatus for fiberizing particularly paper and/or paperboard based material, for feeding fiberized material, such as pulp wool, wood fiber or the like."

Therefore, both the method and apparatus can be used to process material other than paper or paperboard based material. Accordingly, unity of invention does exist between the two groups of claims. Thus, the basis for the restriction requirement is invalid and the requirement should be withdrawn.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: August 28, 2008

/Eric J. Franklin/  
Eric J. Franklin, Reg. No. 37,134  
Attorney for Applicants  
Venable LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
Telephone: 202 344 4936  
Facsimile: 202 344 8300